

CF 1002

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH ATBTLASPURW.P.(S) NO. 5038 / 2006Petitioner

Jagdish Prasad Shukla
S/o Shri Neelkant Shukla,
Aged about 40 years,
Asst. Teacher Government Primary
School, Kabirdham, Block - Baloda,
Dist : Janjgir Champa-(C.G.)

VersusRespondents : 1.

State of Chhattisgarh
Through - The Secretary,
Department of School Education,
D.K.S. Bhawan, Raipur,
Dist : Raipur-(C.G.)

2.

District Education Officer,
Janjgir Champa-(C.G.)

3.

Block Education Officer,
Baloda, Dist : Janjgir Champa-(C.G.)

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE

CONSTITUTION OF INDIA FOR ISSUANCE OF SUITABLEWRIT, WRITS, DIRECTION ETC TO DO JUSTICE IN THEMATTER.

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Pr. No. 5038 / 2006
Presented by Sr. A.G. Singh
dated 11/9/06

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(27)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (s) No. 5038 of 2006

Petitioner : Jagdish Prasad Shukla

Versus

Respondents : State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri.

Shri Anil Singh Rajput, Advocate for the Petitioner.

Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

ORDER

(14th September, 2006)

1. Learned counsel appearing for the petitioner submits that while working as Assistant Teacher, the petitioner has gone on training to improve his qualifications on his own expenses and acquired B.T.I. Examination Certificate in the year 1992.
2. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B.T.I. Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 (Annexure P/1) issued by the State Government of Madhya Pradesh

3. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.
4. Accordingly, the writ petition is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioner has acquired B.T.I. Examination Certificate on his own expenses or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge